

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

MICHAEL RICHARD LYNCH,

Defendant.

Case No. [18-cr-00577-CRB-1](#)

**ORDER RE: GOVERNMENT
MOTION IN LIMINE NO. 4**

At the pretrial conference on February 21, 2024, the Court ruled on the government's motion to admit certain post-acquisition testimony from Joel Scott and John Schultz. See Minute Order (dkt. 358); see also Gov. Mot. (dkt. 299). The Court hereby clarifies that ruling and modifies it in part.

The following post-acquisition testimony from Joel Scott is ADMISSIBLE: (1) the disclosures he made involving pre-acquisition events; (2) when he made such disclosures; and (3) to whom he made such disclosures. The rest of the Joel Scott's proffered testimony, including as to the circumstances surrounding Lynch's departure from HP, is INADMISSIBLE.

The proffered post-acquisition testimony from John Schultz about a conversation he had with Lynch is INADMISSIBLE in the government's case-in-chief, subject to the defense opening the door on cross-examination.

IT IS SO ORDERED.

Dated: March 1, 2024



CHARLES R. BREYER
United States District Judge